

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

STEVEN MORGAN,

07-CV-1789-ST

Plaintiff,

ORDER

v.

MICHAEL J. ASTRUE,
Commissioner of Social
Security,

Defendant.

MERRILL SCHNEIDER
Schneider Law Offices
PO Box 14490
Portland, OR 97293
(503) 255-9092

Attorney for Plaintiff

DWIGHT C. HOLTON

United States Attorney

ADRIAN L. BROWN

Assistant United States Attorney
1000 S.W. Third Avenue, Suite 600
Portland, OR 97204-2902
(503) 727-1003

DAVID R. JOHNSON

Special Assistant United States Attorney
Office of the General Counsel
Social Security Administration
701 5th Avenue, Suite 2900 M/S 901
Seattle, WA 98104-7075
(206) 615-2545

Attorneys for Defendant

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#35) on July 29, 2010, in which she recommends this Court grant Plaintiff Steven Morgan's Unopposed Motion (#32) for Attorney Fees Pursuant to 406(b) in the sum of \$11,745.25 to be offset by \$4,883.01 awarded to Plaintiff's counsel on July 6, 2009, pursuant to the Equal Access to Justice Act (EAJA).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8th Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#35). Accordingly, the Court **GRANTS** Plaintiff's Unopposed Motion (#32) for Attorney Fees Pursuant to 406(b) in the sum of \$11,745.25 to be offset by \$4,883.01 awarded to Plaintiff's counsel on July 6, 2009, pursuant to the EAJA.

IT IS SO ORDERED.

DATED this 6th day of October, 2010.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge